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Via ECF

December 9, 2016

Judge Kiyo A. Matsumoto
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Martin Shkreli, No. 15-CR-00637 (KAM)

Dear Judge Matsumoto:

We represent Retrophin, Inc. We are writing on behalf of Retrophin as well as Defendant Shkreli pursuant to the Court's December 6, 2016 Order requesting a joint status letter "on the outcome of [our] discussions regarding communications relating to specific commercial products and remaining issues warranting the court's attention."

Retrophin and Mr. Shkreli have agreed that counsel for Mr. Shkreli will apply a set of search terms (the "Commercial Search Terms") to the productions Mr. Shkreli receives from Katten Muchin Rosenman LLP ("Katten").¹ Mr. Shkreli's counsel will segregate the emails and attachments culled by the Commercial Search Terms and limit their review to counsel, for the purpose of determining, as provided in the Court's November 30th Order, if the documents reflect the provision of legal advice to Retrophin, MSMB or Mr. Shkreli personally. If Mr. Shkreli's counsel, upon reviewing the Commercial Search Term documents, believes that Mr. Shkreli needs to review any of these documents for the purpose of carrying-out the November 30th Order, then, counsel for Retrophin agrees to meet and confer in good faith to accommodate the request.


The parties have also had an initial discussion about whether Retrophin would expand the scope of its waiver to include additional topics and intend to continue meet-and-confer on that subject.

¹ These terms are: Sparsentan, Ligand, Thiola, Mission, Biosolutia, Alamo, and DLSS, Chenodal, Manchester, NexGen, Cholbam, Asklepion, Novartis, Questcor, Acthar, ACTH, Synacthen, and RE-034.



Judge Kiyo A. Matsumoto
December 9, 2016
Page Two

Respectfully submitted,


Ian Shapiro

cc: Counsel for all parties (via ECF)
Michael Verde
Elizabeth Langdale
Glen McGorty